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FILED
JAN 23 2017
SUSAN Y. SOONG
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

1 **COMPLAINT BY A PRISONER UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983**

2 Name: LEON STEVEN

3 (Last)

(First)

4 Prisoner Number: 16040540 / DUI 422

5 Institutional Address: 701 S. ABLE STREET, MILDEN
95035

7 **UNITED STATES DISTRICT COURT**

8 **NORTHERN DISTRICT OF CALIFORNIA**

9 STEVEN ANDREW LEON (PROV 17)

(Enter your full name.)

328

11 vs.

12 SAN JOSE POLICE DEPARTMENT

13 OFFICER GUZMAN #3968

15 (Enter the full name(s) of the defendant(s) in this action.)

Case No. _____
 (Provided by the clerk upon filing)

**COMPLAINT UNDER THE
 CIVIL RIGHTS ACT,
 42 U.S.C. § 1983**

17 **I. Exhaustion of Administrative Remedies.**

18 **Note:** You must exhaust available administrative remedies before your claim can go
 19 forward. The court will dismiss any unexhausted claims.

20 A. Place of present confinement ELMWOOD CORRECTION MILDTAS CA

21 B. Is there a grievance procedure in this institution? YES ☐ NO ☒

22 C. If so, did you present the facts in your complaint for review through the grievance
 23 procedure? YES ☐ NO ☒

24 D. If your answer is YES, list the appeal number and the date and result of the appeal at each
 25 level of review. If you did not pursue any available level of appeal, explain why.

26 1. Informal appeal: _____

1 2. First formal level: _____

2
3
4 3. Second formal level: _____

5
6
7 4. Third formal level: _____

8
9
10 E. Is the last level to which you appealed the highest level of appeal available to you?

11 YES ☐ NO ☒

12 F. If you did not present your claim for review through the grievance procedure, explain why.

13
14 NO PROCEDURE

15
16 II. Parties.

17 A. Write your name and present address. Do the same for additional plaintiffs, if any.

18 STEVEN ANDREW LEON

19 701. SABLE STREET MILPITAS, CA 95035

20
21 B. For each defendant, provide full name, official position and place of employment.

22 #3968 GUZMAN, POLICE OFFICER, San Jose Police Dept

1 **III. Statement of Claim.**

2 State briefly the facts of your case. Be sure to describe how each defendant is involved
3 and to include dates, when possible. Do not give any legal arguments or cite any cases or
4 statutes. If you have more than one claim, each claim should be set forth in a separate
5 numbered paragraph.

6 OCTOBER 7, 2016 VIOLATED MY 4TH AMENDMENT
7 SEIZER. RIGHT, I WAS UNARMED AND NO
8 THREAT, THE OFFICER STRUCK ME WITH
9 HIS BATON, I FELL UNCONSCIOUS AND AWOKE
10 TO HIM STRIKING ME WHILE IN THE FOETAL
11 POSITION LAYING IN A POOL OF MY OWN BLOOD.
12 I SUFFERED A FRACTURED LEFT HAND, A FRACTURED
13 RIGHT ELBOW, AND A LACERATION ON THE BACK OF
14 MY HEAD, MY ELBOW IS HELD TOGETHER BY 8
15 SCREWS AND A LARGE PLATE.

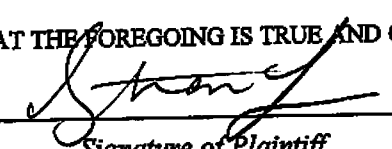
16 **IV. Relief.**

17 Your complaint must include a request for specific relief. State briefly exactly what you
18 want the court to do for you. Do not make legal arguments and do not cite any cases or
19 statutes.

20 REIMBURSED FOR LOSS WAGES, PAIN AND
21 SUFFERING, MENTAL STRESSING, PTSD, ANXIETY,
22 DEPRESSION FROM INJURYS, LOSS OF TIME
23 WITH CHILDREN, SETTLE FOR 2.5 MILLION

24 I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

25 Executed on: 1 / 6 / 2017
Date


Signature of Plaintiff